

REMARKS

Claim 1 remains in this application. Claim 1 is rejected. Claims 2-4 are cancelled herein. Claim 1 is amended herein to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claim cited in the above-referenced Office Action.

Claim 1 is rejected as obvious over Cheng et al. (US 6,134,360) in view of Honjo et al. (US 5,422,971), Steptoe et al. (US 5,403,977) and either one of Nagase (JP 01232308) or Di Maggio (US 5,625,735) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that a *prima facie* case of obviousness has not been established in the rejection of claim 1. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest

all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)." MPEP §706.02(j) "Contents of a 35 U.S.C. §103 Rejection".

Claim 1 includes a recitation, in accordance with which "covers a few centimeters [are removed] at one end from a plurality of polarization-maintaining fiber cables with a difference of a few millimeters therebetween." Consequently, during assembly step (2), and as shown for example in Figs. 3 and 4, a difference of a few millimeters occurs between leading ends of the exposed fiber portions thereof created when the cover portions are removed in the manner as claimed. As a result, and as shown for example in Figs. 6-8 and described at page 4, lines 3-14, insertion of each of the leading ends into corresponding fiber holes of the ferrule in step (4) is eased. It is respectfully submitted that such teaching for the specific purpose of achieving the disclosed advantage is not taught or suggested in any of the cited references. While the Examiner states that "the amount of coating removed in each fiber would be dependant on the arrangement of the device (and the fibers there within) to which the sleeve/fiber assembly is being coupled," applicants respectfully submit that he has failed to identify teaching in the cited art used in support of the rejection which would lead one of ordinary skill in the art to intentionally removed different lengths of cover material, such that when subsequently fixed in a holder

tube, leading edges of the exposed fiber portions extend different amounts from one another to ease subsequent assembly to a ferrule, as properly required to establish obviousness.

Furthermore, the addition of the thermoset resins in steps (2) and (3) of claim 1, and the subsequent curing thereof at step (6) allows rotation of the fiber cables in the previous step (5). Cheng et al. (as well as the secondary references) does not teach such timing of operations.

In addition, to prevent the first thermoset resin from being absorbed into the holder tube at steps (3) to (5), a thermoset resin having a relatively high viscosity is used therefor (see specification at page 4, lines 21-25). This teaching, for achieving the advantage as described, is also absent from Cheng et al. and secondary references.

Lastly, in step (5), relative orientation of a plurality of cables is adjusted (see, for example, Figs. 15-17). Nagase and Di Maggio et al. teach only adjusting an orientation of a single fiber cable.

Thus, it is respectfully submitted that the rejected claim is not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejection of the claim 1 and its allowance are respectfully requested.

It is further noted that the above discussed feature was present in the originally filed claim 1. As such, the present amendments cannot necessitate new grounds for rejection as the present rejections are respectfully submitted as failing

to have been established. Accordingly, it is respectfully submitted that a next Office Action cannot be made final.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
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